

Hernan O. Castro  
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San Francisco, CA 94102

In Pro Se

FILED

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RICHARD W. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

E-filing

HERNAN O'RYAN CASTRO,	)	
	)	C 07 5775 PJH (PR)
Petitioner,	)	
	)	
v.	)	PETITIONER'S REQUEST
	)	FOR EXPEDITED
ROBERT E. McFADDEN,	)	RESOLUTION OF HIS
Western Regional Director,	)	PETITION FOR WRIT OF
Federal Bureau of Prisons,	)	HABEAS CORPUS BY A
	)	PERSON IN FEDERAL CUSTODY
Respondent.	)	UNDER 28 U.S.C. § 2241
	)	

COMES NOW Petitioner, Hernan O'Ryan Castro (Castro),  
in pro se, currently in the custody of the Federal Bureau  
of Prisons, and hereby respectfully requests that this  
Court gives a prompt resolution to his Petition for Writ of  
Habeas Corpus by a person in federal custody, pursuant to  
Title 28 U.S.C. § 2241.

Petitioner filed this petition on November 14, 2007,  
the date after his transfer to serve the last six months of

incarceration at a Community Correctional Center (also known as Re-entry Residential Center-RRC-or halfway house). The gist of petitioner's claim is that he is exempted from making subsistence payment to the RRC's contractor by regulation enacted by the Bureau of Prisons, specifically, 28 C.F.R. § 505.3.

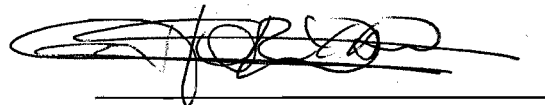
Subsistence pay is due from every non-exempt resident of a RRC that earns pay from work outside the RRC during the period of his confinement therein. Once the prisoner is released from the RRC, no subsistence pay is due. Subsistence pay amounts to 25% of the gross earnings of the prisoner.

Petitioner has currently just over three weeks left under the custody of the Bureau of Prisons and the RRC, having a projected release date of May 9, 2008. After that date, this action will become moot as no remedy will be available to petitioner within the scope of habeas relief; only through further litigation under the Little Tucker Act, 28 U.S.C. § 1346, could petitioner obtain relief at that point.

WHEREFORE, in light of the above stated and the record in front of this Court, petitioner respectfully prays that this Court will grant his request to obtain an expedited resolution to his habeas corpus petition.

Respectfully submitted,

Date: April 14, 2008

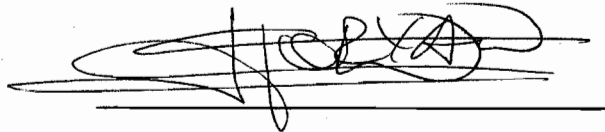


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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I have mailed a copy of the above document to Mr. Dennis M. Wong, Esq., Special Assistant U. S. Attorney, U.S. Attorney's Office, 450 Golden Gate Avenue, Box 36055, San Francisco, CA 94102-3495.

Mailed and executed this 14th day of April of 2008.

A handwritten signature in black ink, appearing to read "Hernan O'Ryan Castro", is written over a horizontal line.

Hernan O'Ryan Castro